

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
FILED & ENTERED

JAN 07 2025

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY fortier DEPUTY CLERK

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA

LOS ANGELES DIVISION

In re:

AMY LYNNE BLALOCK,

Debtor(s).

Case No. 24-12532BR

Chapter 7

Adv. No. 24-01152BR

**ORDER SETTING FORTH REQUIRED TRIAL
PROCEDURES FOR PRESENTING:**

- (1) MANDATORY USE OF DECLARATIONS;
- (2) TIME FOR FILING DECLARATIONS AND/OR OBJECTIONS TO DECLARATIONS;
- (3) FORM OF EVIDENTIARY OBJECTIONS;
- (4) TIME FOR FILING TRIAL BRIEFS; AND
- (5) TRIAL BRIEFS AND EXHIBIT REGISTER

Trial setting conference:

Date: MARCH 25, 2025

Time: 10 A.M.

Courtroom: 1668

Royal Federal Building
255 East Temple Street
Los Angeles, California 90012

DR. STEWART LUCAS MURREY,

Plaintiff(s),

v.

AMY LYNNE BLALOCK,

Defendant(s).

The following procedures are to be followed on the presentation of evidence to be offered at the trial of the above entitled proceeding. The purpose of this procedure is to ensure a fair and expeditious trial.

This procedure is similar to a motion for summary judgment, except that the admissibility of a declaration is dependent upon the physical presence ("IN PERSON") of the declarant at trial subject to cross-examination.

1. MANDATORY USE OF DECLARATIONS:

(a) Except as provided herein, each party shall present the testimony of all of its witnesses through declarations of a witness, under penalty of perjury, otherwise admissible under the applicable Federal Rule of Evidence ("FRE").

(b) The only oral testimony which may be offered at trial by a party through its witnesses will be **STRICTLY** limited to rebuttal testimony. This testimony may be presented only through physical presence in the courtroom.

(c) If a portion of a witness' declaration concerns an exhibit to be admitted into evidence at trial, the exhibit **MUST** be attached to the declaration.

(d) If a party is unable to obtain a declaration of a witness, counsel for the party shall file a declaration stating the name of the witness and include a detailed summary of the expected testimony and why counsel was unable to obtain the witness' declaration. This declaration must be filed with the Court at the same time specified in Section 2 below for filing declarations.

(e) The declaration of a witness for a party will be admissible at trial, subject to timely objections, and only if the declarant is physically present in the courtroom at trial, and subject to cross-examination.

Failure to make every reasonable effort to obtain the declaration of any such witness will result in the exclusion of any oral testimony of such witness offered by the party.

If a party intends to present the witness' testimony by a transcript of a deposition of the witness, only those portions of the transcript intended to be offered should be attached to its counsel's declaration.

2. TIME FOR FILING DECLARATIONS AND/OR OBJECTIONS TO DECLARATIONS:

(a) Plaintiff shall serve and file its declaration(s) on or before 1/28/2025.

(b) Defendant shall serve and file its declaration(s) and any evidentiary objection(s) it has to plaintiff's declaration(s) on or before 2/18/2025.

(c) Plaintiff shall serve and file its reply declaration(s) and any evidentiary objection(s) it has to defendant's declaration(s) on or before 3/4/2025.

(d) Defendant shall serve and file any evidentiary objection(s) to plaintiff's reply declaration(s) on or before 3/11/2025.

(e) **NO OTHER DECLARATIONS WILL BE ALLOWED.** The only additional evidence a party may offer at trial is **TRUE** rebuttal evidence.

3. FORM OF EVIDENTIARY OBJECTIONS:

Evidentiary objections, if any, shall be submitted using the following format:

[NAME OF DECLARANT]	
PAGE NO. & TEXT	EVIDENTIARY OBJECTION(S)
Page Nos. ____ - ____ and Excerpt of Objectionable Text	Evidentiary Objection Under Federal Rule(s) of Evidence; [Identify Specific FRE]
Page Nos. ____ - ____ and Excerpt of Objectionable Text	Evidentiary Objection Under Federal Rule(s) of Evidence; [Identify Specific FRE]

4. TIME FOR FILING TRIAL BRIEFS:

If a party wishes to file a trial brief(s), such brief(s) must be filed with the party's declaration(s). Any brief exceeding ten (10) pages in length, excluding exhibits, must be accompanied by an indexed table of contents and authorities. A party may file its brief(s) at the time(s) designated for filing its declaration(s), even though the party may choose not to file a declaration(s). **NO OTHER BRIEFS WILL BE ALLOWED.**

5. TRIAL EXHIBITS [LBR 9070-1(a)(1) – (5):

If the parties wish to use trial exhibits, they shall comply with LBR 9070-1(a)(1) – (5). Exhibits must be organized in exhibit binders and five copies of the exhibit binders must be delivered to the court on the day of the trial only.

The parties are required to tag the exhibits. All forms of exhibit tabs are available on the Court's website. Plaintiff(s) shall use Form No. 9070-1.1. and defendant(s) shall use Form No. 9070-1.2. The parties are also required to prepare an exhibit register (Form B-3024) which shall be delivered with the exhibits. **NO OTHER EXHIBITS WILL BE ALLOWED.**

6. PRE TRIAL ORDER:

~~The parties shall file a joint pre-trial order pursuant to Local Rule 7016-1 on or before _____.~~
~~BR~~

IT IS SO ORDERED.

Date: January 7, 2025



Barry Russell
United States Bankruptcy Judge

CERTIFICATE OF SERVICE

I, the below-named deputy clerk of the United States Bankruptcy Court, certify that I placed a true and correct copy of the attached document in a sealed envelope for collection and mailing no later than the next business day that is not a court-observed holiday, in the United States mail, first class, postage prepaid, and addressed as follows:

Dr. Stewart Lucas Murrey
1217 Wilshire Blvd #3655
Santa Monica, CA 90403

Amy Lynne Blalock
1001 Gayley Ave #24381
Los Angeles, CA 90024

Service information continued on attached page

STACEY FORTIER

Date: 1/7/2025

Signature: _____

Deputy Clerk [printed name]: STACEY FORTIER